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**Subject:** Summer 2012 MIIA Risk E Business

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# Risk E Business



Welcome to MIIA's Risk Management Newsletter!

## **MANAGING RISKS ASSOCIATED WITH SUMMER SEASONAL EMPLOYEES**

With the arrival of summer, many cities and towns will be hiring part-time employees and college and high school students to fill seasonal positions in summer camps, recreational programs, grounds keeping and maintenance.

Each year, seasonal employees suffer a number of injuries that can have a negative impact on a municipality's loss experience long after the employee is off the payroll. Fortunately, inexpensive preventative measures and simple administrative controls can go a long way to prevent injuries and the costly disruption of operations.

In order to maintain a safe and productive workplace, municipal employers must provide all employees with appropriate orientation and training. Temporary employees are often exposed to the same hazards faced by permanent employees, and without proper training, injuries become more likely.

Municipal managers should make equipment operation manuals available and adjust their schedules to allow ample time for training on equipment that will be used by seasonal employees. Managers should not assume that any employee knows how to operate equipment - whether it's a lawn mower, a motor vehicle, or a camp cook stove.

Another operational area that tends to suffer in times of tight budgets is preventive maintenance of mechanical areas, vehicles and equipment. Trimming preventive maintenance budgets may spare a few dollars in the short term, but a lack of maintenance often leads to larger, more costly problems associated with deteriorating equipment. Repair and replacement is more expensive than routine maintenance, and employees are exposed

## SUMMER 2012

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**FY13 Grant Coming  
Soon!!**

Our FY13 grant application should be available by early July. As we do each year the application will be emailed to all member contacts and posted to our website once available.

In the meantime, now would be a good opportunity to start evaluating your risk management needs and narrowing down your priority list.

If you would like any guidance on what would be eligible under our grant please contact your Loss Control Representative.



**NEWS AND NOTES**

to more hazardous situations when equipment becomes unsafe to operate. Additionally, cities and towns should ensure that safety policies and procedures are followed at all times, including mandatory use of personal protective equipment even when temperatures rise on a hot summer day.

Summertime also brings the risk of exposure to skin rashes like poison ivy and insect-borne illnesses. A common infection among those working outdoors is Lyme disease, which is spread by bacteria-carrying deer ticks. In 2005, Massachusetts had the nation's fourth highest rate of Lyme disease, which can be debilitating if it goes untreated.

Ticks cannot jump or fly; they must come in direct contact with a host. Once a tick latches onto human skin it will generally climb until it reaches a creased area such as the back of the knee, groin, navel, armpit or ears. To prevent exposure to ticks when working outdoors, workers should tuck long pant legs into shoes and wear tightly woven clothing; long hair should be tied back. An insect repellent containing DEET should be applied to exposed skin and clothing when going into overgrown areas. Sitting on the ground or stone walls should be avoided whenever possible. Employees should learn to recognize deer ticks and scan clothes and skin while outdoors, then do a full body check for ticks at the end of the day.

Municipal employees working outdoors are also susceptible to heat and sun-related illnesses when the body cannot adequately cool itself. It's critical to recognize the symptoms, since extreme heat-related illness can be life-threatening.

The first stage is painful muscle cramps, which can be eased with rest, stretching and massage. The next, more serious stage is heat exhaustion, indicated by cool, moist and pale skin, headache, nausea, and dizziness and/or weakness. In this case, the victim should rest in a cool place, apply cool wet cloths to the body, and drink a half glass of cool water every 15 minutes.

Late stage heat-related illness, called heat stroke, is life-threatening. A 911 call should be made immediately if the victim has the following symptoms: vomiting, decreased alertness or loss of consciousness, high body temperature, rapid/weak pulse, and rapid/shallow breathing. The victim's skin may be moist or red, hot and dry. Lie the victim down in a cooler place until EMTs arrive. Quickly wrap the body in wet sheets and/or place ice packs on their wrists, ankles, neck and armpits to cool large blood vessels. Watch for breathing problems and ensure that the victim's airway is clear.

Sunburn can lead to work absences and increases the risk of skin cancer, yet only 34 percent of men wear sunscreen, compared to 78 percent of women. Lightweight clothing, hats and sunglasses to shield harmful UV rays are considered personal protective equipment. Choosing the right sunscreen is important: some prevent sunburn but not other sun damage.

A broad-spectrum protection sunscreen with an SPF (sun protection factor) between 15 and 50 should be applied in thin layers - and reapplied every few hours or after swimming or sweating. Look for products with zinc, titanium, avobenzone, or Mexoryl SX. Avoid products containing the synthetic chemical oxybenzone, which can penetrate the skin and contaminate the body. Lotions are better than sprays or powders, which can be harmful if inhaled. An SPF of more than 50 should be avoided, since it can tempt the wearer to stay in the sun longer.

*This article was reprinted from the MMA Beacon, June 2012 edition.*



-Please note that many Rewards notices will be posted in this section of the newsletter in order to cut back on email correspondence.

#### **-FY12 REWARDS WRAP-UP**

Thanks to all of our members for their continued hard work and dedication to the Rewards program! We are currently reviewing the documentation that was submitted and tallying up credits. You will be notified over the next few weeks of your final credit amount.

#### **PRESS RELEASES**

If you would like a press release drafted that highlights your entities efforts with the Rewards program this year please contact Lin Chabra.

#### **ONLINE SURVEY**

Thank you to all who completed our online survey for your valuable feedback. The feedback will be used to help tailor and improve our services in FY13 and beyond. If you have not yet had a chance to complete the survey or would like to do so please contact Mary Ann Marino and she will email the link to you.

#### **FY13 TRAINING REQUESTS**

If you would like to host a MIIA training program in FY13 please let us know as soon as possible. We have already started scheduling our fall seminars and will do our best to accommodate your requests. Depending on the program, a minimum number of participants will

## **MIIA DEVELOPS GUIDE TO REDUCING SEWER SYSTEM OVERFLOWS**

Sewer system overflows (SSOs) continue to be a significant loss trend to MIIA accounting for approximately 40% of all general liability losses. The frequency of SSOs has increased in many communities during the last few years, particularly due to recent large storm events. SSOs can release sewage directly to the environment, such as onto streets, parking lots, waterways, and the ground, and also into buildings and other areas of private property.

One of the most common excuses for not undertaking proper preventive maintenance of the sewer system is a lack of adequate staff and financial resources. However, the cost of prevention can be far less than SSO response and liability. In 2012, municipal insurance deductibles for sewer backup claims through MIIA ranged between \$2,500 and \$10,000 per incident. For communities where backups in the sewer system are a regular occurrence, payment of these deductibles adds up very quickly. As an example, a community with 20 sewer backup claims in a year could be paying out as much as \$200,000 annually in insurance deductibles. In addition, MIIA performs annual loss reviews and may increase deductible amounts for communities with more frequent or severe claims. Put in simple terms, any money saved through reducing preventive maintenance in the sewer system is likely expended tenfold on overtime for emergency response staff, payment of high insurance deductibles, and time spent by the municipality responding to SSO insurance claims.

To help address this trend, MIIA recently partnered with Weston & Sampson to create a procedural guide to help develop or strengthen municipalities' plans for prevention of SSOs. This guide offers discussion and sample guidelines, checklists and report forms to assist municipalities to properly manage their sewer systems. The guide can be found at the link below.

[Guide to Reducing Sewer System Overflows](#)

## **SAFE PLAYGROUNDS CAN HELP REDUCE LIABILITY**

Playgrounds provide opportunities for children to explore their environment, develop motor and social skills, and gain confidence. Yet some present hazards that could be avoided with proper design, maintenance, and supervision.

Each year nearly 200,000 children are injured in playground accidents, according to the U.S. Consumer Product Safety Commission. Seventy percent of these accidents occur in public parks and schoolyards; roughly 45 percent of the injuries are considered severe, and several are fatal.

Federal law does not mandate playground safety standards, but safe and well-maintained playgrounds can help to reduce exposure to lawsuits.

MIIA, in partnership with the Massachusetts Recreation and Park Association, offers members the most comprehensive program for playground hazard identification and risk management training programs: the National Playground Safety Inspector Course. After completing 12 hours of training and an exam, participants become certified playground safety inspectors, ensuring that they meet guidelines set by the U.S. Consumer Product Safety Commission and the American Society for Testing and Materials. (Together, these guidelines are the internationally recognized standard of care for playground safety.)

be required to host.

## **FY13 REWARDS-CHANGES COMING**

Soon we will be reviewing our loss trends and determining our FY13 Rewards criteria. Part of this process also includes evaluating FY12's criteria and which programs were successful or which programs need changes. For example due to low participation, the Property Conservation program in its current format will not continue. We will also be evaluating how to improve efficiency administratively which will help both our members and our staff. We hope to distribute the FY13 Rewards criteria by August.

### **-Onsite Management & Leadership by our EAP**

Please do not hesitate to contact our EAP to schedule onsite personal, professional, organizational development training. [Click here for our EAP website for a list of programs available.](#)

[-VIEW CURRENT SEMINAR SCHEDULE HERE.](#)

## **LOSS CONTROL STAFF**

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Loss Control

In addition to mitigating the risk of accidents and lawsuits, MIIA member municipalities that complete the training receive MIIA Rewards credit on their property and casualty insurance premiums.

Another resource, the CPSC Public Playground Safety Handbook, is available at [www.cpsc.gov/cpscpub/pubs/325.pdf](http://www.cpsc.gov/cpscpub/pubs/325.pdf). The handbook lists voluntary safety guidelines as well as suggested maintenance checklists and equipment testing procedures for playground safety audits.

Although the state's recreational-use statutes provide a strong defense for municipalities, it is important to accurately document playground inspection and maintenance in order to protect against any potential charges of negligence. Records of any accident or injury reported on any playground should also be retained. This will help to identify potential playground hazards or dangerous design features that need to be corrected.

Key factors in evaluating playground safety include the following:

\* **Surfaces.** Roughly 60 percent of playground injuries are caused by falls, so it is especially important to have surfacing that is designed to absorb impact. Hard surfaces like concrete and asphalt are unacceptable, as are grass and packed-earth because weather and wear can pack them and reduce their ability to absorb impact.

Acceptable surfaces include loose-fill materials like wood chips, mulch, sand, pea gravel or shredded rubber. Safety-tested rubber surfacing mats or rubber-like materials, such as poured-in-place unitary surfacing systems, are also safe. These surfaces, along with engineered wood fiber - the only loose-fill material that meets Americans with Disabilities Act standards - allow the best access for people in wheelchairs. Loose-fill materials should be a minimum of nine inches deep and extend across the entire use zone of the equipment.

\* **Design and Spacing.** Playground equipment should be designed for three age groups: infants and toddlers; 2- to 5-year-olds; and 5- to 12-year-olds. In the safest playgrounds, play areas for younger children are clearly separated from those meant for older kids. Children should be able to move safely from one activity to another, with proper spacing between equipment. Play structures should be spaced in accordance with their use zones. Use zones typically extend six feet from the equipment, but slides and moving equipment such as swings require more space. Stationary equipment, less than 30 inches in height, may be located within six feet of each other. Stationary equipment greater than 30 inches may be located within nine feet of each other. Among the many other areas to check are spaces that could trap children. Openings in guardrails or between ladder rungs should measure less than three and one-half inches or more than nine inches apart. These dimensions will ensure that fully bound openings will pass the head-torso probe test.

\* **Maintenance and Inspection.** Playground equipment should be regularly inspected to make sure that it is clean and well maintained. Playground inspectors should check for equipment that is securely anchored and made of quality, durable materials that won't break down as a result of weather.

Equipment should show no signs of weakening, or splintered, rusted, chipped or peeling surfaces. Hardware such as S-hooks and bolts, hinges and other moving parts should be checked for sharp edges, pinch points or areas for entanglement. Sandboxes should be covered overnight to prevent contamination from cats and other animals. Sight lines from benches should be unobstructed, and fencing should be secured to prevent children from leaving the area.

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## NEW POLICE DRIVER TRAINING VIDEO NOW AVAILABLE

MIIA's fourth video is titled "Safe Vehicle Operations in Inclement Weather". This video is not just geared towards winter weather but for driving in any adverse condition.

If 50% of your police department completes the test on any of our four videos they will receive 1% Rewards credit off of the appropriate line of coverage (either AUTO or Law Enforcement Liability). Tests and answers are included either in hard copy or on the DVD.

For a copy of the video please contact Mary Ann Marino.

Playgrounds should be free of trash, standing water and objects that could cause kids to trip, such as rocks, tree stumps and roots. \* **Supervision.** Although the design and condition of equipment are important, the most critical safety element is supervision. When a public entity is responsible for supervising children, liability becomes a significant consideration. The responsibility of recreation department and school employees to supervise activities is where the true liability exists. Playground supervisors should be trained before being given this enormous responsibility. This is perhaps the most overlooked aspect of playground safety.

Information about the next National Playground Safety Inspector Course can be found at [www.emiia.org](http://www.emiia.org). Additional information is available at the website of the Massachusetts Recreation and Parks Association ([www.massrpa.org](http://www.massrpa.org)).

*This article was reprinted from the MMA Beacon, May 2012 Edition*

## **Loss Control Tips and Trends**

### **BOILER AND PRESSURE VESSEL CERTIFICATE OF INSPECTION FEE NOW REQUIRED**

As of May 1, 2012, the Department of Public Safety will now be solely responsible for the issuance of certificates of inspections for boilers and pressure vessels. This will include a \$50 fee for each certificate of inspection. MIIA currently contracts with Travelers to conduct such inspections and will continue to do so, however, the certificates must now be issued by the DPS. For more information please visit the [DPS Notice and FAQ here](#).

### **FEDERAL HAZARDOUS COMMUNICATION STANDARD CHANGES- MA RIGHT TO KNOW LAW DOES NOT....YET**

The Massachusetts Right to Know (RTK) Law became effective in 1984. Initially the law applied to both the private and public sector in Massachusetts. However, Federal OSHA now regulates the private sector with similar requirements under the Hazard Communication Standard. Therefore, the Right to Know Law only applies to State, county and municipal workplaces in Massachusetts.

The workplace portion of the MA Right to Know law requires that information on chemical hazards be given to employees by providing them with access to Material Safety Data Sheets (MSDS), by labeling containers of chemicals and by training on chemical hazards and safe work procedures. Some of you may have heard or received literature explaining the recent changes to the federal hazardous communication standard and may be wondering how it applies to you. For now, the MA Right to Know law has not yet changed, however you may start to see changes on the chemical labels and MSDS's for chemicals you purchase. The excerpt below from OSHA.gov explains the changes.

#### *Major changes to the Hazard Communication Standard*

- *Hazard classification: Provides specific criteria for classification of health and physical hazards, as well as classification of mixtures.*
- *Labels: Chemical manufacturers and importers will be required to provide a label that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. Precautionary statements must also be provided.*
- *Safety Data Sheets: Will now have a specified 16-section format.*
- *Information and training: Employers are required to train*

*workers by December 1, 2013 on the new labels elements and safety data sheets format to facilitate recognition and understanding.*

### **UST OPERATOR CERTIFICATION REQUIREMENTS**

The Mass DEP Underground Storage Tank Operator Certification Program requires those that are responsible for maintaining UST's have a baseline knowledge and understanding how these systems work.

#### **UST System Owner/Operator Responsibilities**

If you own or operate one or more UST systems, you have until **August 8, 2012**, to:

- Designate at least one certified Class A, B and C Operator for each UST system.
- Document that each designated Class A, B or A/B Operator is correctly trained on the UST system(s) for which s/he is responsible.
- Document that each Class C Operator has received site-specific training from a Class A, B or A/B Operator.

#### **UST Operator Qualifications**

To become certified as a Class A, B or A/B UST Operator, you must:

- Take and pass a state-administered Class A, B, A/B or Reciprocity UST Operator Exam;
- Receive a MassDEP issued certificate indicating the level of operator certification received;
- Be designated by the facility owner as the responsible UST Operator; and
- Obtain training on the type(s) of UST system (s) for which you have been designated an Operator.

To become a Class C Operator, you do not need to take and pass a state-administered exam, but you must receive site-specific training from a Class A, B or A/B Operator on the UST system(s) for which you will be responsible, including how to respond to alarms and emergencies.

**For a copy of the [UST Regulation click here.](#)**

### **FIRE DANGER**

Although the state has had some much needed rain over the past few weeks, many areas are still below normal rainfall totals and an increased fire danger still exists. As we approach warmer temperatures please be sure to store flammable chemicals in approved containers and cabinets, be mindful of cigarette disposal, keep vegetation away from vents and mechanical equipment, store batteries off of the floor and away from tools that could create a spark if terminals are connected, and keep grills at least 20 feet from buildings. For [Summer Fire Safety Tips please click here.](#)

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